

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**TECHNOLOGY PROPERTIES
LIMITED LLC,**

Plaintiff,

v.

**KINGSTON TECHNOLOGY COMPANY,
INC.,**

Defendant.

Civil Action No. 6:12-cv-00210-MHS

JURY TRIAL DEMANDED

PLAINTIFF’S UNOPPOSED MOTION TO LIFT THE STAY OF PROCEEDINGS

Plaintiff Technology Properties Limited LLC (“TPL”) moves this Court to lift the stay of these proceedings on February 19, 2014. Defendant Kingston Technology Company, Inc.

(“Defendant”) does not oppose this motion. In support thereof, TPL states as follows:

1. Plaintiff filed a Complaint for patent infringement against Defendant on March 28, 2012. (Doc. 1).
2. Plaintiff filed a Complaint against Kingston Technology Company, Inc. in the International Trade Commission (“ITC”) on March 27, 2012.
3. On May 31, 2012, this Court ordered a stay of this case pursuant to 28 U.S.C. § 1659, stating “[t]his action shall remain stayed until the resolution of all International Trade Commission proceedings between Plaintiff and all Defendants, including appeals.” (Doc.11).
4. On December 19, 2013, the ITC issued a Notice of Commission Determination Terminating Investigation 337-TA-841 with a Finding of No Violation of Section 337. The deadline for any party to petition for reconsideration of the Determination has passed.

5. February 18, 2014 is the deadline to file a notice of appeal to the Federal Circuit. Plaintiff will not file a notice of appeal.

6. Therefore, February 19, 2014 will mark the “resolution of all International Trade Commission proceedings between Plaintiff and all Defendants, including appeals.”

7. It is appropriate to lift the stay on February 19, 2014. As of February 19, 2014, the Commission proceedings will be resolved and no longer subject to judicial review.

8. Plaintiff requests that the Court enter an Order that lifts the stay of this case on February 19, 2014.

9. Defendant does not oppose this motion.

Date: February 7, 2014

Respectfully Submitted:

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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on February 7, 2014, a copy of the foregoing was e-filed with the Court, which sent notice to all parties entitled to receive pleadings through the Court's CM/ECF system.

/s/ Benjamin R. Askew
Benjamin R. Askew